

UNITED STATES DISTRICT COURT FOR THE
DISTRICT OF NEW HAMPSHIRE

United States of America

v.

Civil No. 06-cv-033-JD

Honda Accord 2000, et al.

PROCEDURAL ORDER

Tum Tin has filed a motion for appointment of counsel on the grounds that he received notice that his house was going to be seized (document no. 29). The government has objected to the appointment of counsel.

The government represents that Tum Tin has not resided at 60 Sawmill Hill Road in Berwick, Maine, although he is a record owner of that property along with Nay Eth. Tum Tin is not charged with any criminal offense, and therefore is not represented by counsel under 18 U.S.C. § 3006(a). Since Mr. Tin has not claimed that he has been using the 60 Sawmill Hill Road property as his primary residence, and since the government represents that he has not used the property as his primary residence, he is not entitled to appointment of counsel pursuant to 18 U.S.C. § 983(b)(2). Therefore, the motion for appointment of counsel is denied.

SO ORDERED.


Joseph A. DiClerico, Jr.
United States District Judge

May 19, 2006

cc: Tum Tin, pro se
Edward C. Dial, Jr., Esquire
Paul W. Pappas, Esquire
Brian T. Tucker, Esquire
Jean B. Weld, Esquire